IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 2225 OF 2007

Mr. Bhupendra N. Mehta. ..Petitioner.

Vs.

Income Tax Officer and anr. ..Respondents.

Mr.U.J. Pandit with Mr. Prakash Prabhu for the Petitioner,

Mr. A.D.Kango with Mr.P.S.Sahadevan for the Respondents.

CORAM : F.I. REBELLO &
R.S. MOHITE, JJ.
DATED : 3RD DECEMBER,2007.

PC :

1. The petitioner has approached this Court to challenge the notice for re-assessment issued under Section-148 of the Income Tax Act in respect of the Assessment year 1999-2000. The learned counsel has drawn our attention to paragraph-2.5 as also paragraph 6 wherein it has been set out that there is an account standing in the name of Mr. Zaveri who died in the year 1991 and is still being operated from the office of the assessee and the returns of income tax of Mr. Zaveri were regularly filed from the office of the assessee and these facts were not known to the relatives of the said Zaveri. In Paragraph-6 various instances have been given. In the reply filed on 19.11.2007 at Paragraph-7 respondents have referred to various accounts being operated from the address of the petitioner.

2. Considering all these facts, in our opinion, this is not a fit case to exercise the extra ordinary jurisdiction of this court. Hence, petition is rejected.

3. Considering the order of Status quo dated 16th October, 2007, which is continued till today, time to complete the assessment is extended till 15.1.2008.

(F.I. REBELLO, J.)

(R.S. MOHITE, J.)